



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten notes: 1/23/03, No

In re application of: D. KLUG, et al.

Confirmation No.: 1401

Application No.: 09/837,234

Group Art Unit: 1761

Filing Date: April 18, 2001

Examiner: Lien Tran

For: SUGAR WAFER WITH CONFECTIONERY  
FILLING AND METHOD FOR MAKING  
SAME

Attorney Docket No.: 88265-4026

AMENDMENT

**Box Non-Fee Amendment**

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

JAN 17 2003

Sir:

TC 1700

In response to the non-final Office Action mailed October 31, 2002,  
Applicants submit the following amendments and remarks for entry into the above-identified  
application.

IN THE CLAIMS

Please amend the claims as follows:

01 1. (Twice Amended) A food product comprising a sugar wafer cone  
having a filling including a mass of a substantially water-free based confectionery material  
that has solidified in the sugar wafer cone from a molten mass prior to consumption, so that  
the cone acts as a handle to keep a user's hands clean during eating of the product and the  
product combines the pleasure and fun of eating an ice cream cone with the indulgence of a  
fat-based confection.

02 3. (Three Times Amended) A food product according to claim 1,  
wherein the food product has a weight of 5 to 40 g and is bite-sized or a 2-3 bite sized piece,  
and wherein the sugar wafer solidifies from a semi-liquid or semi-solid mass that is  
sufficiently flowable to conform to the cone.